

Remarks

Reconsideration and allowance of this application, as amended, are respectfully requested.

In the present Amendment, new claims 18 and 19 have been added. Claims 1-19 are now pending in the application. Claims 1, 15, and 17 are independent. The sole rejection is respectfully submitted to be obviated in view of the amendments and remarks presented herein. No new matter has been introduced through the foregoing amendments.

New claims 18 and 19 have been added to further define the scope of protection sought for Applicants' invention. Support for the recitations is found at, for example, specification page 1, second paragraph, through page 2, fourth full paragraph. Entry of each of the amendments is respectfully requested.

Claims 1-17 stand rejected under 35 U.S.C. § 103(a) based on U.S. Patent No. 5,913,764 to Kolbe et al. (hereinafter "Kolbe") and U.S. Patent No. 5,044,873 to Vijuk and further in view of U.S. Patent No. 4,687,137 to Boger et al. ("Boger"). The Office Action asserts that "it would have been obvious . . . to provide the gluer of McDaniel¹ with the gluer of Boger et al. for controlled and intermittent application of glue" (Office Action page 3).

¹ Since McDaniel has not been cited by the examiner, Applicants presume that the examiner's intended statement was "to provide the gluer of Kolbe and Vijuk with the gluer of Boger et al."

The rejection of claims 1-17 under § 103(a) based on Kolbe and Vijuk and further in view of Boger is respectfully traversed. For at least the following reasons, the combined disclosures of Kolbe, Vijuk, and Boger would not have rendered obvious Applicants' claimed invention.

First, the asserted combination of Kolbe, Vijuk, and Boger does not disclose each feature of the claimed invention. More specifically, the disclosure of the newly cited Boger reference does not rectify any of the previously noted deficiencies of both Kolbe and Vijuk. Second, there is no teaching in any of the asserted references that would have led one to select the references and combine them in a way that would produce the invention defined by any of Applicants' pending claims. Boger, in fact, is especially irrelevant, since it teaches an apparatus that applies a hot adhesive (i.e., a molten thermoplastic), not a starch glue as is used in the type of apparatus defined by Applicants' claims.

As explained in Applicants' previous reply, a problem associated with prior art "format-specific glue application" devices is that the "glue transfer makes it necessary to provide and subsequently clean a plurality of glue transfer components, for instance the format rollers and the format parts" (instant specification page 2, lines 9-11). That is, a conventional gluing

station has a roller that is supplied with glue by a glue roller or other glue storing and transfer components. These components must be aligned for each specific paper bag format. The alignment of the components is a time consuming process.

Therefore, an object of Applicants' invention is to "further improve the design of the base insert device in such a way that these glue transfer components can be totally omitted or at least reduced in number while still enabling a format-specific glue application" (specification page 2, lines 12-15). An important feature of the instant invention is that the glue outlets are mounted on at least two application heads. Another feature is that at least one of these application heads is movable relative to the other application head. The aim of these features is to adapt the glue outlets to the desired format of glue application.

Accordingly, Applicants' claim 1, for example, defines a device in which "at least one of the gluing stations include[es] glue outlet openings which may be selectively supplied with glue such that the selection of the glue outlet openings defines a format of the glue application, and said glue outlet openings [are] provided with at least two application heads of which at least one application head is displaceable in a direction orthogonal to a feed direction of the sheets and/or the folded bases such that as a

result of the displacement, a relative movement of the two application heads occurs."

The combined disclosures of Kolbe, Vijuk, and Boger do not teach all of Applicants' claim features. Kolbe teaches a method of manufacturing flat-bottom bags and a corresponding gluing station, in which the glue line 42 of hot-melt adhesive for the bottom 26 of the bag is applied (column 4, lines 2-3). The gluing station is of a conventional nature (i.e., a glue roller) and has no glue outlet openings.

The disclosure of Vijuk does not rectify the deficiencies of Kolbe. Vijuk teaches an apparatus for folding sheets to make "outserts" which bear information relating to pharmaceutical packages. The outsert is attached to the inner fold 16 of a pharmaceutical package by a glue spot 15 which is supplied by a glue head 225 (column 3, lines 52-55). The glue head 225 includes a nozzle 248 that is designed to provide the outsert with a single glue spot even at high manufacturing velocities.

A person having ordinary skill in the art who was seeking to create a base insert device (for the formation of crossed bases in paper bags) with a glue application head that is suitable for a variety of different glue formats (U-shape, L-shape, glue spots, glue lines, etc.) would not combine the teaching of Kolbe with the teaching of Vijuk. First, the teaching of Vijuk is directed to a

different technological area, i.e., pharmaceutical packages which have a box shape (i.e., not paper bags). Second, Vijuk's glue head is not configured for a variety of different glue formats. It can only apply single spots (and no glue lines) to the outserts. Even if one skilled in the art did combine the teachings of Kolbe and Vijuk, it would result in a device for manufacturing flat-bottom bags whose bottoms are glued with single glue spots. With such single glue spots, the quality standards associated with flat-bottom bags would not be met.

The disclosure of Boger does not rectify any of the previously noted deficiencies of both Kolbe and Vijuk. Boger, in fact, is especially irrelevant for at least the following reasons. Boger describes an adhesive dispensing apparatus for disposable diapers (column 1, line 13). So, Boger is directed to a technology area that is different not only from that of the instant application, but also from that of both Kolbe and Vijuk. Furthermore, Boger's adhesive dispensing apparatus uses hot adhesive (i.e., a molten thermoplastic) (column 2, line 27) to glue different layers of sheets to form the disposable diaper.

Applicants' claimed apparatus, however, has a glue application head that provides the base folds of a so-called valve bag with glue so as to adhere the inserted valve patches thereto. In fact, when comparing Applicants' claimed invention with Boger's


teaching, it is clear that both the product made by the apparatus, and the glue used in the apparatus, are different. Therefore, one skilled in the art would not look to Boger to rectify the deficiencies of Kolbe and Vijuk in an attempt to arrive at Applicants' claimed invention.

Accordingly, the combined disclosures of Kolbe, Vijuk, and Boger would not have rendered obvious the invention defined by any of Applicants' pending claims 1-19.

In view of the foregoing, this application is now in condition for allowance. If the examiner believes that an interview might expedite prosecution, the examiner is invited to contact the undersigned.

Respectfully submitted,

JACOBSON HOLMAN PLLC

By: 
Harvey B. Jacobson, Jr.
Reg. No. 20,851

400 Seventh Street, N. W.
Washington, D.C. 20004
Telephone: (202) 638-6666
Date: January 17, 2008